

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

TERRENCE DONTE CLAY,

INDICTMENT

Defendant.

/

The Grand Jury charges:

COUNT 1

(Sex Trafficking and Attempted Sex Trafficking of a Child)

Between on or about October 2, 2022, and November 12, 2022, in Kent County, in the Southern Division of the Western District of Michigan, and elsewhere,

TERRENCE DONTE CLAY

knowingly recruited, enticed, harbored, transported, provided, advertised, and maintained and attempted to recruit, entice, harbor, transport, provide, advertise, and maintain, by any means in or affecting interstate or foreign commerce, Minor 1, knowingly and in reckless disregard of the fact, and having a reasonable opportunity to observe Minor 1, that Minor 1 had not attained the age of 18 years, and would be caused to engage in one or more commercial sex acts.

18 U.S.C. § 1591(a), (b)(2), (c), (e)(3)
18 U.S.C. § 1594(a)

COUNT 2
(Sexual Exploitation of a Minor)

Between on or about October 19, 2022, and on or about October 20, 2022, in Kent County, in the Southern Division of the Western District of Michigan,

TERRENCE DONTE CLAY

knowingly employed, used, persuaded, induced, enticed, or coerced a minor to engage in sexually explicit conduct for the purpose of producing visual depictions of that conduct, using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer.

Specifically, TERRENCE DONTE CLAY photographed the lascivious exhibition of the genitals and pubic area of Minor 1, a sixteen-year-old girl, and directed Minor 1 to photograph the lascivious exhibition of her genitals and pubic area. The defendant saved, reproduced, or possessed the images on materials including, but not limited to, an Apple iPhone cell phone that was manufactured outside the State of Michigan.

18 U.S.C. § 2251(a), (e)

COUNT 3
(Distribution of Child Pornography)

On or about October 20, 2022, in Kent County, in the Southern Division of the Western District of Michigan,

TERRENCE DONTE CLAY

knowingly distributed images and videos of child pornography using any means or facility of interstate and foreign commerce. Specifically, the defendant sent one or more images of child pornography from his Apple iPhone cell phone that was manufactured outside the State of Michigan. Those images include, but are not limited to, a file identified as IMG_20221020_112237.jpg.

18 U.S.C. § 2252A(a)(2)(A) and (b)(1)
18 U.S.C. § 2256(8)(A)

FORFEITURE ALLEGATION
(Sex Trafficking of a Child and Attempt)

The allegations contained in Count 1 of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. §§ 1594(d) and (e).

Pursuant to 18 U.S.C. §§ 1594(d) and (e), upon conviction of an offense in violation of 18 U.S.C. § 1591(a), as charged in Count 1 of this Indictment,

TERRENCE DONTE CLAY

shall forfeit to the United States of America any interest in any property, real or personal, used or intended to be used to commit or to facilitate the commission of the offense, including but not limited to an Apple iPhone 6SE (SN: 356836114538082).

18 U.S.C. § 1594(d), (e)

18 U.S.C. § 1591(a), (b)(2), (c), (e)(3)

FORFEITURE ALLEGATION

(Sexual Exploitation of a Child and Distribution of Child Pornography)

The allegations contained in Counts 2 and 3 of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. § 2253.

Pursuant to 18 U.S.C. § 2253, upon conviction of an offense in violation of 18 U.S.C. §§ 2251 or 2252A, as charged in Counts 2 and 3, respectively,

TERRENCE DONTE CLAY

shall forfeit to the United States of America any visual depiction described in 18 U.S.C. §§ 2251 or 2252A; any matter which contains any such visual depiction that was produced, transported, mailed, shipped, and received in violation of Title 18, United States Code, Chapter 110; any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offenses; and any property, real or personal, used or intended to be used to commit or to promote the commission of the offenses or any property traceable to such property, including but not limited to an Apple iPhone 6SE (SN: 356836114538082).

18 U.S.C. § 2253

18 U.S.C. § 2251

18 U.S.C. § 2252A

18 U.S.C. § 2256

A TRUE BILL



GRAND JURY FOREPERSON

MARK A. TOTTEN
United States Attorney



JONATHAN ROTH
Assistant United States Attorney